IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE FOURTEENTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 3938 of 2005

Between:

Ch.Venkateswara Rao, s/o Rama Kotaiah,
r/o Behind Z.P.Quarters, Khammam, Khammam District.

..... PETITIONER

AND

The Sub-Registrar, Sub-Registration Office, Kusumanchi, KHammam District.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate writ, order or direction more in the nature of mandamus declaring the action of the respondent in treating the Sale Deed presented for registration by Sri Choda Thirupathi Reddy in favour of the petitioner on 27-11-2004 under Ack.No.3317(O) as pending document without returning the same to the petitioner as illegal, arbitrary and offending Art.14 of the Constitution of India and consequentially to direct the respondent complete the process registration and to return the document to the petitioner forthwith and to pass such other order or orders.

Counsel for the Petitioner: MR.M.SUDHIR KUMAR

Counsel for the Respondent: GP FOR REVENUE

The Court at the admission stage made the following :

O R D E R:

The petitioner seeks a writ of Mandamus to declare alleged action of the respondent in treating the sale deed presented by Mr. Choda Thirupathi Reddy for registration in favour of the petitioner on 27-11-2004 as pending document, as arbitrary and illegal.

The learned Government Pleader for Revenue, under instructions, states that on presentation of the document in question, it was suspected that the market value in the document was not truly set forth, and therefore, after taking written consent from the parties concerned, the document was admitted and was kept pending for referring the same for determination of the market value by the Collector under Section 47-A of the Indian Stamp Act, 1899 (hereinafter referred to as 'the Act').

The writ petition is accordingly disposed of with a direction to the respondent to complete the process already initiated, in accordance with law expeditiously, and to inform the petitioner about the additional stamp duty, if any, payable by him. No costs.

(G. ROHINI, J)

Date:14-03-2005

Note: Office to furnish CC in three days.

B/o

ghn

To

1. The Sub-Registrar, Sub-Registration Office, Kusumanchi, KHammam District.

2 . Two CCs to the Government Pleader for Revenue, High Court of A.P., Hyderabad.(O.U.T.

3. Two CD copies.